THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.Nos.20375 & 24642 of 1997

COMMON ORDER:

The petitioner is common in both the writ petitions.

W.P.No.20375 of 1997 is filed seeking a Mandamus declaring the proceedings Rc.No.4640/97-C1 dated 14.8.1997 issued by the first respondent as illegal and arbitrary. By the impugned proceedings, the first respondent changed the enquiry officer to avoid the apprehensions expressed by the persons against whom the enquiry was going on. The petitioner challenged the said proceedings in this writ petition and obtained status quo of the enquiry. Thereafter, petitioner filed W.P.No.24642 of 1997 seeking a Mandamus declaring the action of the respondents in not taking action against the members of the society for misappropriation of society funds.

The respondents filed counter affidavits in both the cases denying the allegations. In fact, it is the case of the respondents that an enquiry under Section 51 of the A.P. Cooperative Societies Act, 1964 was ordered with regard to misappropriation of society funds, but the same not completed in view of the status quo orders obtained by the petitioner in W.P.M.P.No.24743 of 1997 in W.P.No.20375 of 1997 dated 28.8.1995.

There is no necessity of going into all the details. The earlier W.P.No.20385 of 1997 filed by the petitioner mainly complaining as to the change of enquiry officer. Now it is more than nine years since the writ petitions were filed and pending before this Court. In view of the same, I am of the opinion that both these writ petitions can be disposed of directing the authorities to complete the enquiry launched

under Section 51 of the APCS Act.

Accordingly, the writ petitions are disposed of directing the respondents to complete the enquiry contemplated under Section 51 of the APCS Act within a period of three months from the date of receipt of a copy of this order and shall pass appropriate orders as per law. No order as to costs.

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C.V.RAMULU,
J

Date: 30.6.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

30.6.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.Nos.20375 & 24642 of 1997

Dated: 30th June, 2006

Between:

J.Krishna Rao

.. Petitioner

and

The District Cooperative Officer/
Joint Registrar, Guntur & others.

.. Respondents